

AMENDED IN ASSEMBLY APRIL 12, 2010

AMENDED IN ASSEMBLY MARCH 16, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2165

Introduced by Assembly Member Knight

February 18, 2010

An act to ~~add Section 21080.30 to~~ *add and repeal Section 21080.30* of the Public Resources Code, relating to the environment, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2165, as amended, Knight. Environment: California Environmental Quality Act (CEQA): exemption: High Desert Health System Multi-Service Ambulatory Care Center.

(1) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA exempts specified projects from its requirements.

This bill would exempt from the requirements of CEQA activities or approvals of the *initial construction of the* High Desert Health System Multi-Service Ambulatory Care Center project, *as defined. The bill*

would repeal this exemption on January 1, 2015. Because a lead agency would be required to determine whether this exemption applies, this bill would impose a state-mandated local program.

(2) This bill would make legislative findings and declarations as to the necessity of a special statute for the High Desert Health System Multi-Service Ambulatory Care Center project.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21080.30 is added to the Public Resources
2 Code, to read:

3 21080.30. (a) This division does not apply to activities or
4 approvals of the High Desert Health System Multi-Service
5 Ambulatory Care Center project.

6 (b) For purposes of this section, "High Desert Health System
7 Multi-Service Ambulatory Care Center Project" means the
8 outpatient health facility that will be located in the City of
9 Lancaster, at the intersection of Avenue I and 3rd Street East.

10 (c) This section shall apply only to the initial construction of
11 the High Desert Health System Multi-Service Ambulatory Care
12 Center.

13 (d) This section shall remain in effect only until January 1, 2015,
14 and as of that date is repealed, unless a later enacted statute, that
15 is enacted before January 1, 2015, deletes or extends that date.

16 SEC. 2. The Legislature finds and declares that a special law
17 is necessary and that a general law cannot be made applicable
18 within the meaning of Section 16 of Article IV of the California
19 Constitution because of the lack of a health care facility in the high
20 desert region of the state and the need to provide a sufficient health
21 care facility to the residents of the high desert region.

1 SEC. 3. No reimbursement is required by this act pursuant to
2 Section 6 of Article XIII B of the California Constitution because
3 a local agency or school district has the authority to levy service
4 charges, fees, or assessments sufficient to pay for the program or
5 level of service mandated by this act, within the meaning of Section
6 17556 of the Government Code.

7 SEC. 4. This act is an urgency statute necessary for the
8 immediate preservation of the public peace, health, or safety within
9 the meaning of Article IV of the Constitution and shall go into
10 immediate effect. The facts constituting the necessity are:

11 Because of the lack of health care facilities in the high desert
12 area of the state and the urgent need to provide these facilities for
13 the residents of the high desert area, it is necessary for this act to
14 take effect immediately for the preservation of the public peace,
15 health, and safety.